

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Cory Holland, Sr.,

Plaintiff,

-against-

Lions Gate Ent Corp
STARZ Ent Group, LLC,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/24/2023

23 Civ. 2350 (AT)

ORDER OF SERVICE

Plaintiff *pro se*, Cory Holland, Sr., brings this action under the Court's diversity of citizenship jurisdiction, 28 U.S.C. § 1332, asserting claims arising from Defendants' employment of Curtis Jackson, a/k/a 50 Cent, and Jackson's alleged retaliation against Plaintiff for filing an earlier lawsuit, *Holland v. Lions Gate Entertainment & Films*, 21 Civ. 2944. ECF No. 1. By order dated March 21, 2023, the Honorable Laura Taylor Swain granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees. ECF No. 4.

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the Court must order the U.S. Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Defendants Lions Gate Ent. Corp and STARZ Ent Group, LLC through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for each of these Defendants. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.

If the complaint is not served within ninety days after the date the summons is issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within ninety days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have served the summons and the complaint until the Court reviewed the complaint and ordered that the summons be issued. The Court therefore extends the time to serve until ninety days after the date the summons is issued.

CONCLUSION

The Clerk of Court is directed to issue summonses, complete the USM-285 forms with the addresses for Lions Gate Ent Corp and STARZ Ent Group, LLC, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is further directed to mail a copy of this order and an information package to Plaintiff *pro se*.

SO ORDERED

Dated: March 24, 2023
New York, New York



ANALISA TORRES
United States District Judge

DEFENDANTS AND SERVICE ADDRESSES

1. Lions Gate Ent. Corp
2700 Colorado Avenue
Los Angeles, CA 90404
2. STARZ Ent. Group, LLC
8900 Liberty Circle
Englewood, CO 80112-7057